

CLAIM AMENDMENTS

Claim Amendment Summary

Claims pending

- At time of the Action: Claims 9-15, 26-27, 31, 34 and 37.
- After this Response: Claims 9-15, 26-27, 31, 34 and 37-43.

Canceled or Withdrawn claims: none.

Amended claims: none.

New claims: 38-43.

Claims:

Claims 1-8 are CANCELED.

9. (ORIGINAL) A method for facilitating speedy communication of packets between entities on a network, the method comprising:

sending a set of packets from a sending entity to a receiving entity, wherein a transmission delay between packets in the set is intolerable;

immediately thereafter, sending at least one "push" packet to avert a transmission delay between packets in the set, wherein the delay is caused by packet buffering of a communication device on the network.

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SERIAL NO.: 09/635,988
ATTY DOCKET NO.: MS1-365US
RESPONSE TO NON-FINAL OFFICE ACTION

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by: Kasey C. Christie

1 10. (ORIGINAL) A method as recited in claim 9, wherein the set of
2 packets includes two packets sent back-to-back.

3
4 11. (ORIGINAL) A method as recited in claim 9, wherein the set of
5 packets are bandwidth-measurement packets for measuring bandwidth between the
6 sending entity and the receiving entity.

7
8 12. (ORIGINAL) A method as recited in claim 9, wherein the
9 communication device is a proxy server.

10
11 13. (ORIGINAL) A method as recited in claim 9, wherein the network is
12 TCP.

13
14 14. (ORIGINAL) A program module having computer-executable
15 instructions that, when executed by a computer, performs the method as recited in
16 claim 9 at an application layer in accordance with an OSI model.

17
18 15. (ORIGINAL) A computer-readable medium having computer-
19 executable instructions that, when executed by a computer, performs the method
20 as recited in claim 9.

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22 Claims 16-25 are CANCELED.

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1 26. (ORIGINAL) A method for facilitating bandwidth measurement
2 between two entities on a network, the method comprising:

3 sending a pair of bandwidth-measurement packets from a sending entity to
4 a receiving entity, wherein a transmission delay between packets in the pair is
5 intolerable;

6 immediately thereafter, sending at least one "push" packet to avert a
7 transmission delay between packets in the pair, wherein the delay is caused by
8 packet buffering of a communication device on the network.

9
10 27. (ORIGINAL) A method as recited in claim 26 further comprising
11 receiving a bandwidth calculation based upon measurements related to the pair of
12 packets.

13
14 28. (CANCELED)

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16 29. (CANCELED)

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18 30. (CANCELED)

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1 31. (ORIGINAL) A computer-readable medium having computer-
2 executable instructions that, when executed by a computer, perform a method to
3 facilitate speedy communication of packets between entities on a network, the
4 method comprising:

5 sending a set of packets from a sending entity to a receiving entity, wherein
6 a transmission delay between packets in the set is intolerable;

7 immediately thereafter, sending at least one "push" packet to avert a
8 transmission delay between packets in the set, wherein the delay is caused by
9 packet buffering of a communication device on the network.
10

11 32. (CANCELED)
12

13 33. (CANCELED)
14

15 34. (ORIGINAL) An apparatus comprising:

16 a processor;

17 a transmission-delay avoider executable on the processor to:

18 send a set of packets from a sending entity to a receiving entity,
19 wherein a transmission delay between packets in the set is intolerable;

20 immediately thereafter, send at least one "push" packet to avert a
21 transmission delay between packets in the set, wherein the delay is caused
22 by packet buffering of a communication device on the network.
23

24 35. (CANCELED)
25

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5

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1 36. (CANCELED)

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3 37. (ORIGINAL) A modulated data signal having data fields encoded
4 thereon transmitted over a communications channel, comprising:

5 a first field including a first bandwidth-measurement packet;

6 a second field including a second bandwidth-measurement packet;

7 a third field including a "push" packet facilitating minimization of
8 transmission delay between the first and second packets, wherein the delay is
9 caused by packet buffering of a communication device on the network.

10
11 Claims 38-48 are CANCELED.

12
13 — NEW CLAIMS —

14
15 38. (NEW) A method as recited in claim 9, wherein the "push"
16 packet is sent from the sending entity.

17
18 39. (NEW) A method as recited in claim 9, wherein the
19 transmission delay is caused by packet buffering of a communication device on
20 the network, the communication device causing the transmission delay is neither
21 the sending entity nor the receiving entity.

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1 40. (NEW) A method as recited in claim 9, wherein the packet
2 buffering causing the transmission delay is characterized by a buffering action
3 where one or more of the set of packets are buffered into a packet buffer, wherein
4 the transmission delay is a result of the packet buffering action itself and not a
5 result of filling or nearly filling the packet buffer.

6
7 41. (NEW) A method as recited in claim 26, wherein the "push"
8 packet is sent from the sending entity.

9
10 42. (NEW) A method as recited in claim 26, wherein the
11 transmission delay is caused by packet buffering of a communication device on
12 the network, the communication device causing the transmission delay is neither
13 the sending entity nor the receiving entity.

14
15 43. (NEW) A method as recited in claim 26, wherein the packet
16 buffering causing the transmission delay is characterized by a buffering action
17 where one or more of the set of packets are buffered into a packet buffer, wherein
18 the transmission delay is a result of the packet buffering action itself and not a
19 result of filling or nearly filling the packet buffer.

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7

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